

John Boehner
Chairman
8th District, Ohio

*House Meets at 12:30 p.m. for Morning Hour
and 2:00 p.m. for Legislative Business
(No Votes Before 5:00 p.m.)*

Anticipated Floor Action:

H.R. 1273—National Science Foundation Authorization Act

H.R. 2544—Technology Transfer Commercialization Act

S. 318—Homeowners Protection Act

H.R. 4164—Enforcing Child Custody and Visitation Orders

**H.R. 2379—Designating the Hiram H. Ward Federal Building and U.S.
Courthouse**

H.R. 3223—Designating the J.J. “Jake” Pickle Federal Building

H.R. 3453—Designating the Dick Cheney Federal Building and Post Office

H.R. 2183—Bipartisan Campaign Integrity Act



Bills Considered Under Suspension of the Rules

Floor Situation: The House will consider the following seven bills under suspension of the rules as its first order of business today. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

H.R. 1273—National Science Foundation Authorization Act (Considering Senate Amendments) authorizes approximately \$11.2 billion for FY 1998-2000 for the National Science Foundation (NSF). The bill reinforces the NSF’s core mission set forth in the 1950 National Science Foundation Act—to initiate and support basic research and programs to enhance research potential and education at all levels in the sciences and engineering. In addition, H.R. 1273 sets a \$10,000 per-fiscal year limit on official consultation and representation costs (determined at the discretion of the NSF director), and prohibits authorized funds from being used for the U.S. Man and Biosphere Program or related projects. The Senate version of the bill appropriates \$3.73 billion for the NSF for FY 1999, compared with \$3.61 billion in the House-passed version. Additionally, the Senate version appropriates \$3.9 billion for the

NSF for FY 2000. The original House bill authorized funds to be appropriated only for FYs 1998-1999. H.R. 1273 was introduced by Mr. Schiff and passed the House by voice vote on April 24, 1997. The Senate amended and passed the bill by a vote of 99-0 on May 12, 1998.

H.R. 2544—Technology Transfer Commercialization Act amends the 1980 Stevenson-Wydler Technology Innovation Act (*P.L. 96-480*) to revise requirements under a cooperative research and development agreement (CRADA). It also amends federal law to repeal provisions that restrict the licensing of federally-owned inventions and replace them with new guidelines which (1) authorize federal agencies to grant exclusive licenses on federally-owned inventions; and (2) give first preference for the granting of such licenses to small businesses. In addition, the measure amends the 1986 Federal Technology Transfer Act (*P.L. 99-502*) to allow federal laboratories to include existing patented inventions into a CRADA. By removing legal obstacles, H.R. 2544 provides federal agencies with two new options to commercialize on-the-shelf federally-owned technologies—licensing them as stand-alone inventions or including them as part of a larger package under a CRADA. H.R. 2544 was introduced by Ms. Morella and was reported by the Science Committee by voice vote on May 13, 1998.

S. 318—Homeowner Protection Act automatically terminates private mortgage insurance (PMI) after a homeowner attains a certain equity level in his or her home. PMI is paid by the homeowner and insures the holder of a mortgage for losses associated with a default by the homeowner. The home finance industry usually requires PMI when borrowers have less than 20 percent equity in the property. The bill outlines three different automatic cancellation levels, depending on the size and risk of the mortgage. It requires that mortgage companies, as well as financial institutions that service mortgages, provide homeowners with information on the terms and conditions of private mortgage insurance and how it may be canceled, both voluntarily and by law.

The committee has offered an amendment to the Senate language that, while leaving intact most of the Senate-passed version of S. 318, modifies the Senate language to (1) require the General Accounting Office to submit a report to Congress describing the volume and characteristics of high risk residential mortgages and residential mortgage transactions; (2) protect from preemption state laws that are in effect on or before January 2, 1998, except to the extent the state laws are inconsistent with the bill; and (3) state that the bill does not preclude the mortgagor and the holder of the mortgage from canceling the requirement of PMI pursuant to an agreement before the cancellation date established by the bill. CBO estimates that enactment of the measure will result in savings of approximately \$250,000 a year in outlays from direct spending. Because the bill would affect direct spending, pay-as-you-go procedures would apply. S.318 passed the Senate by unanimous consent on November 9, 1997, and was referred to the House on November 12, 1997. A similar House version, H.R. 607, passed the House by a vote of 421-7 on April 16, 1997.

H.R. 4164—Enforcing Child Custody and Visitation Orders amends the Parental Kidnapping Prevention Act to outline custody rights of certain persons with regard to minor children. Specifically, the bill (1) clarifies that grandparents may claim rights to custody or visitation of a child, and orders granting such rights to grandparents should be enforced by courts in any state in which the subject child may live; (2) restores to federal courts jurisdiction over the subject matter of child custody when determining the validity of two conflicting state court custody or visitation orders; and (3) provides that in cases of contested adoptions, a state need not uphold the earlier decision of another state's court if that state court failed to consider the child's best interests. CBO estimates that enactment will have no significant effect on the federal budget. H.R. 4164 was introduced by Mr. Andrews. The Judiciary Commit-

tee ordered H.R.1690 reported by voice vote on May 6, 1998. The bill was re-introduced by Mr. Coble on June 25 to insert a technical provision inadvertently omitted during committee markup which provides that all contested custody proceedings initiated after enactment must receive expedited court hearings.

H.R. 2379 names the federal building and U.S. courthouse at 251 N. Main Street, Winston-Salem, North Carolina, for Hiram H. Ward. Mr. Ward was a distinguished jurist, sitting on the federal bench for 22 years. President Nixon appointed Judge Ward to the federal bench for the Middle District of North Carolina in 1972, where he served as judge and as Chief Judge until 1988, at which time he moved to senior status. Judge Ward served in a senior status capacity for another six years on the Fourth Circuit Court of Appeals. The bill was introduced by Mr. Coble; the Transportation & Infrastructure Committee reported the bill by voice vote on June 25, 1998.

H.R. 3223 names the federal building at 300 E. 8th Street, Austin, Texas, after J.J. “Jake” Pickle. Mr. Pickle served his constituents for 30 years in the House of Representatives. He was elected to an open seat in Congress in 1963 and continued his service for 15 terms. Congressman Pickle was a leader in the fight for civil rights issues and equal opportunity for women and minorities. During his tenure, he became chairman of both the Ways & Means Oversight and Social Security Subcommittees. The bill was introduced by Mr. Doggett; the Transportation & Infrastructure Committee reported the bill by voice vote on June 25, 1998.

H.R. 3453 names the federal building and post office located at 100 East B Street, Casper, Wyoming, after Dick Cheney. Mr. Cheney was born in Lincoln, Nebraska on January 30, 1941. At the age of 34, Mr. Cheney was appointed White House Chief of Staff in 1975 and continued to serve in this capacity until the end of the Ford Administration. In 1978, he won the at-large seat from Wyoming and served in the House of Representatives for 10 years. In March 1989, President Bush appointed Cheney as Defense Secretary, where he helped forge the Gulf War alliance that achieved victory in Operation Desert Storm. President Bush awarded Mr. Cheney the Presidential Medal of Freedom on July 3, 1991. The bill was introduced by Mrs. Cubin; the Transportation & Infrastructure Committee reported the bill by voice vote on May 6, 1998.

Additional Information: See *Legislative Digest*, Vol. XXVII, #18, July 10, 1998.



H.R. 2183—Bipartisan Campaign Integrity Act

Floor Situation: The House is scheduled to continue consideration of H.R. 2183 after it completes consideration of the scheduled suspensions. The House has been considering the Shays-Meehan substitute under a modified open rule. The rule makes in order 11 substitute amendments and provides an hour of general debate on each substitute. The rule accords priority in recognition to members who have their amendments to the substitutes pre-printed in the *Congressional Record* and prohibits perfecting amendments to the substitutes that include tax or tariff measures. The rule states that if more than one substitute amendment is adopted, the one which receives the greatest number of votes will prevail and be reported back to the House. The chairman of the Committee of the Whole may postpone

votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Thomas is expected to ask for unanimous consent that the House consider seven amendments today, debatable for 30 minutes each and in the order listed below.

Summary: H.R. 2183 amends the 1971 Federal Election Campaign Act (FECA) to (1) ban the use of certain “soft money” by national political parties and federal candidates; (2) increase the aggregate annual limit on contributions made by individuals to political parties; and (3) repeal limitations on the amount of coordinated expenditures that may be made by political parties. The bill indexes contribution limits to inflation beginning in 1999. The bill requires that radio and television communications paid for by third parties be fully disclosed. It revises current Federal Election Commission (FEC) filing requirements to mandate monthly reports by principal campaign committees and other political committees and requires electronic filing for certain reports. The bill also eliminates the “best efforts” exception with respect to obtaining information regarding the occupation or the name of employers of certain individual contributors. The bill was introduced by Hutchinson *et al.* and was not considered by a House committee.

Views: The Republican leadership has not taken a unified position on the measure or any of the substitutes. An official Clinton Administration viewpoint was also unavailable at press time.

Substitutes: The rule makes in order 11 substitute amendments and provides for an hour of general debate on each substitute. The House is expected to continue debating the Shays-Meehan substitute today.

— *Shays-Meehan Substitute* —

The Shays-Meehan substitute eliminates federal and state soft money that influences federal elections. It redefines the concept of “express advocacy,” as it applies to campaign spending by independent groups and party organizations, to include radio and television communications that refer to a clearly identified federal candidate within 60 days of an election or those communications that include unmistakable support for or opposition to a clearly identified federal candidate outside the 60-day period. The substitute permits only hard money to be used for express advocacy ads. The amendment requires candidates to file their FEC reports electronically and requires the FEC to post reports on the Internet.

The substitute requires anyone who makes an independent expenditure of \$1,000 or more within 20 days of an election to file a report with the FEC within 24 hours and permits the FEC to conduct random audits and investigations of campaign committees. The amendment prohibits a campaign committee from depositing a contribution check before all contributor information is complete.

It clarifies restrictions on fundraising on federal property and codifies the Supreme Court’s *Beck* decision which requires labor organizations to annually notify employees who pay agency fees that they are eligible to object to the use of their funds for political activities. Finally, the amendment bans political parties from making coordinated expenditures on behalf of those candidates that do not limit their own spending to \$50,000. The amendment contains the language of H.R. 3526, the Bipartisan Campaign Reform Act, which was introduced by Mr. Shays and Mr. Meehan on March 19, 1998. **Staff Contacts:** *Allison Rak (Shays), x5-5541; Amy Rosenbaum (Meehan), x5-3411*

Amendments: As stated above, Mr. Thomas is expected to ask for unanimous consent that the House consider seven amendments today, debatable for 30 minutes each and in the order listed below.

Mr. Doolittle may offer an amendment to replace the Shays-Meehan definition of express advocacy with the definition established by the Supreme Court in *Buckley v. Valeo* (1976), which defines express advocacy as a communication containing express words of advocacy of election or defeat of a candidate. **Staff Contact: Pete Evich, x5-2511**

Mr. Wicker may offer an amendment to prohibit the use of White House meals or accommodations in exchange for contributions and support for any political party or campaign for political office. **Staff Contact: Drew Maloney, x5-4306**

Mr. Fossella may offer an amendment to modify the 1971 Federal Election Campaign Act to prohibit individuals who are not citizens of the United States from making contributions in connection with an election for federal office. The text is identical to H.R. 34, which passed the House by a vote of 369-43-1 on March 30, 1998. **Staff Contact: Jennifer Prazmark, x5-3371**

Mr. Stearns may offer an amendment to ban campaign contributions from non-citizens. Specifically, the amendment makes it unlawful for any non-citizen—either directly or indirectly—to make a donation to a candidate for federal, state, or local office, as well as any committee or political party. In addition, the measure prohibits candidates from soliciting, accepting, or receiving such donations. **Staff Contact: Peter Krug, x5-5744**

Mr. Pickering may offer an amendment to prohibit certain defenses to violating the ban on foreign contributions. Specifically, the amendment states that a defendant in such a case may not claim that he or she did not know that the contribution originated from a foreign national if he or she was aware that the likelihood was high. **Staff Contact: Robert Barbour, x5-5031**

Mr. Smith (MI) may offer an amendment to establish for violating the ban on foreign contributions—a prison term of 5-20 years and/or a fine of up to \$1 million. **Staff Contact: Paul Borchers, x5-6276**

Mr. DeLay may offer an amendment to express the sense of Congress that federal law clearly demonstrates that controlling legal authority prohibits the use of federal property to raise campaign funds. **Staff Contact: Tony Rudy, x5-5951**

Additional Information: See *Legislative Digest*, Vol. XXVII, #14, Pt. II, June 1, 1998.



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